

110-00-115-C of 35
 0-00-119
 410 - 117
 M9/12/96



Attorney's Docket No. 10-142C3

#23
 Reg Extension
 by Term
 PATENT
 Notice App'd
 3-12 96

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hummel, Joseph

Serial No.: 08 / 424,223 Group No.: 3503

Filed: April 19, 1995 Examiner: J. Hail

For: Knittable Yarn and Safety Apparel

9'00
 - 380
 520
 110
 410

Assistant Commissioner for Patents
Washington, D.C. 20231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
 TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed August 18, 1995 finally rejecting claims 1-3, 5, 6, 11, 12, 15-18, 25, 26
35 and 36.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

 other than a small entity. a small entity.

A verified statement

 is attached. was already filed on _____**RECEIVED**

MAR - 6 1990

GROUP 3500**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

 small entity \$145.00 other than a small entity \$290.00Notice of Appeal fee due \$ 290.00**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being:

MAILING**FACSIMILE**

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

transmitted by facsimile to the Patent and Trademark Office.

Date: 2/13/96

Signature

Ellen M. Grzelak
 (type or print name of person certifying)

3-12-96
 Registered
 Granted
 One Month
 P.M.

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of § 1.136 for patent applications. 37 CFR 1.191(d). (But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

Extension <u>(months)</u>	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input checked="" type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$380.00	\$190.00
<input type="checkbox"/> three months	\$900.00	\$450.00
<input type="checkbox"/> four months	\$1,400.00	\$700.00

Fee \$ 110.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

An extension for _____ months has already been secured. The fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

or

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 290.00

Extension fee (if any) \$ 110.00

TOTAL FEE DUE \$ 400.00

5. FEE PAYMENT

Attached is a check in the sum of \$ 400.00.

Charge Account No. _____ the sum of \$_____.

A duplicate of this transmittal is attached.

(Notice of Appeal from the Primary Examiner to Board [9-6]—page 2 of 3)

6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

If any additional extension and/or fee is required,
charge Account No. 23-0630.

AND/OR

If any additional fee for claims is required,
charge Account No. 23-0630.


SIGNATURE OF ATTORNEYReg. No.: 20,180

James G. Watterson

(type or print name of attorney)

Tel. No.: (216) 623 0775

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